



General Assembly

***Substitute Bill No. 5497***

***February Session, 2002***

***AN ACT IMPLEMENTING THE PROVISIONS OF PUBLIC LAW 107-110  
AND CONCERNING INTERDISTRICT MAGNET SCHOOLS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2002*) (a) In conformance with the  
2       No Child Left Behind Act, P.L. 107-110, and with implementation  
3       conditioned on the receipt of sufficient federal funds, as determined by  
4       the Commissioner of Education:

5       (1) Beginning in the school year 2005-2006, each student enrolled in  
6       grades three to eight, inclusive, and ten in any public school shall,  
7       annually, in April, take a state-wide mastery examination that  
8       measures the essential and grade-appropriate skills in reading, writing  
9       and mathematics; and

10       (2) Beginning in the school year 2007-2008, each student enrolled in  
11       grades five, eight and ten in any public school shall, annually, in April,  
12       take a state-wide mastery examination in science.

13       (b) Mastery examinations pursuant to this section shall be provided  
14       by and administered under the supervision of the State Board of  
15       Education.

16       Sec. 2. Section 10-14q of the general statutes, as amended by section  
17       1 of public act 01-205, is repealed and the following is substituted in  
18       lieu thereof (*Effective July 1, 2002*):

19 The provisions of this chapter shall apply to all students requiring  
20 special education pursuant to section 10-76a, except in the rare case  
21 when the planning and placement team for an individual student  
22 determines that an alternate assessment as specified by the State Board  
23 of Education is appropriate. The provisions of this chapter shall not  
24 apply to (1) any limited English proficient student enrolled in school  
25 for ten school months or less, [in a bilingual program pursuant to  
26 sections 10-17e and 10-17f or to any student enrolled for ten school  
27 months or less in an English as a second language program] or (2) any  
28 limited English proficient student enrolled in school for more than ten  
29 school months and less than twenty school months who scores below  
30 the level established by the State Board of Education on the linguistic  
31 portion of the designated English mastery standard assessment  
32 administered in the month prior to the administration of the state-wide  
33 mastery examination.

34 Sec. 3. (NEW) (*Effective July 1, 2002*) (a) In conformance with the No  
35 Child Left Behind Act, P.L. 107-110, the Commissioner of Education  
36 shall prepare a state-wide education accountability plan, consistent  
37 with federal law and regulation. Such plan shall identify the schools  
38 and districts in need of improvement, require the development and  
39 implementation of improvement plans and utilize rewards and  
40 consequences.

41 (b) Public schools identified by the State Board of Education  
42 pursuant to section 10-223b of the general statutes, revision of 1958,  
43 revised to January 1, 2001, as schools in need of improvement shall: (1)  
44 Continue to be identified as schools in need of improvement, and  
45 continue to operate under school improvement plans developed  
46 pursuant to said section 10-223b through June 30, 2004; (2) on or before  
47 December 1, 2002, be evaluated by the local board of education and  
48 determined to be making sufficient or insufficient progress; (3) if found  
49 to be making insufficient progress by a local board of education, be  
50 subject to a new remediation and organization plan developed by the  
51 local board of education; (4) continue to be eligible for available federal  
52 or state aid; (5) beginning in February, 2003, be monitored by the

53 Department of Education for adequate yearly progress, as defined in  
54 the state accountability plan prepared in accordance with subsection  
55 (a) of this section; and (6) be subject to rewards and consequences as  
56 defined in said plan.

57 Sec. 4. (NEW) (*Effective July 1, 2002*) The Commissioner of Education  
58 shall report, on or before February 15, 2003, and annually thereafter, in  
59 accordance with section 11-4a of the general statutes, to the joint  
60 standing committee of the General Assembly having cognizance of  
61 matters relating to education on the implementation of the No Child  
62 Left Behind Act, P.L. 107-110.

63 Sec. 5. Subsections (a) to (c), inclusive, of section 10-264l of the  
64 general statutes are repealed and the following is substituted in lieu  
65 thereof (*Effective July 1, 2002*):

66 (a) The Department of Education shall, within available  
67 appropriations, establish a grant program to assist local and regional  
68 boards of education, regional educational service centers and  
69 cooperative arrangements pursuant to section 10-158a with the  
70 operation of interdistrict magnet school programs. For the purposes of  
71 this section "an interdistrict magnet school program" means a program  
72 which (1) supports racial, ethnic and economic diversity, (2) offers a  
73 special and high quality curriculum, and (3) requires students who are  
74 enrolled to attend at least half-time. An interdistrict magnet school  
75 program does not include a regional vocational agriculture school, a  
76 regional vocational-technical school or a regional special education  
77 center. [On and after] From July 1, 2000, to June 30, 2005, the governing  
78 authority for each interdistrict magnet school program shall restrict the  
79 number of students that may enroll in the program from a  
80 participating district to eighty per cent of the total enrollment of the  
81 program. On and after July 1, 2005, the governing authority for each  
82 interdistrict magnet school program shall (A) restrict the number of  
83 students that may enroll in the program from a participating district to  
84 seventy-five per cent of the total enrollment of the program, and (B)  
85 maintain such a school enrollment that at least twenty-five per cent but

86 not more than seventy-five per cent of the students enrolled are pupils  
87 of racial minorities, as defined in section 10-226a. No student enrolled  
88 in an interdistrict magnet school during the 2001-2002 school year shall  
89 be displaced as a result of enrollment restrictions pursuant to this  
90 section.

91 (b) Applications for interdistrict magnet school program operating  
92 grants awarded pursuant to this section shall be submitted annually to  
93 the Commissioner of Education at such time and in such manner as the  
94 commissioner prescribes. In determining whether an application shall  
95 be approved and funds awarded pursuant to this section, the  
96 commissioner shall consider, but such consideration shall not be  
97 limited to: (1) Whether the program offered by the school is likely to  
98 increase student achievement; (2) whether the program is likely to  
99 reduce racial, ethnic and economic isolation; [and] (3) the percentage of  
100 the student enrollment in the program from each participating district;  
101 [. On and after July 1, 2000,] and (4) the proposed operating budget  
102 and the sources of funding for the interdistrict magnet school. If  
103 requested by the commissioner, the applicant shall meet with the  
104 commissioner or the commissioner's designee. If, after said meeting  
105 and before June first, the applicant is unable to produce a balanced  
106 budget for the operation of the interdistrict magnet school, the  
107 commissioner may assume control and operate the school. If the school  
108 is owned by a regional educational service center and the state  
109 provided a construction grant pursuant to section 10-264h and chapter  
110 173, for the full cost of the eligible expenses of construction or  
111 acquisition, title to the building and any legal interest in appurtenant  
112 land shall revert to the state. From July 1, 2000, to June 30, 2005, the  
113 commissioner shall not award a grant to a program if more than eighty  
114 per cent of its total enrollment is from one school district, except that  
115 the commissioner may award a grant for good cause, for any one year,  
116 on behalf of an otherwise eligible magnet school program, if more than  
117 eighty per cent of the total enrollment is from one district. On and after  
118 July 1, 2005, the commissioner shall not award a grant to a program if  
119 more than seventy-five per cent of its total enrollment is from one

120 school district or if less than twenty-five or more than seventy-five per  
121 cent of the students enrolled are pupils of racial minorities, as defined  
122 in section 10-226a, except that the commissioner may award a grant for  
123 good cause, for one year, on behalf of an otherwise eligible interdistrict  
124 magnet school program, if more than seventy-five per cent of the total  
125 enrollment is from one district or less than twenty-five or more than  
126 seventy-five per cent of the students enrolled are pupils of racial  
127 minorities. The commissioner may not award grants pursuant to such  
128 an exception for a second consecutive year.

129 (c) (1) The maximum amount each interdistrict magnet school  
130 program shall be eligible to receive per enrolled student shall be  
131 determined as follows: [(1)] (A) For each participating district whose  
132 magnet school program enrollment is equal to or less than thirty per  
133 cent of the magnet school program total enrollment, ninety per cent of  
134 the foundation as defined in subdivision (7) of section 10-262f; [(2)] (B)  
135 for each participating district whose magnet school program  
136 enrollment is greater than thirty per cent but less than or equal to sixty  
137 per cent of the magnet school program total enrollment, a percentage  
138 between sixty and ninety per cent of said foundation that is inversely  
139 proportional to the percentage of magnet school program students  
140 from such district; and [(3)] (C) for each participating district whose  
141 magnet school program enrollment is greater than sixty per cent but  
142 less than or equal to ninety per cent of the magnet school program  
143 total enrollment, a percentage between zero and sixty per cent of said  
144 foundation that is inversely proportional to the percentage of magnet  
145 school program students from such district. The amounts so  
146 determined shall be proportionately adjusted, if necessary, within the  
147 limit of the available appropriation, and in no case shall any grant  
148 pursuant to this section exceed the reasonable operating budget of the  
149 magnet school program, less revenues from other sources. Any magnet  
150 school program operating less than full-time but at least half-time shall  
151 be eligible to receive a grant equal to sixty-five per cent of the grant  
152 amount determined pursuant to this subsection.

153 (2) For fiscal years ending June 30, 2003, and June 30, 2004, the

154 commissioner may, within available appropriations, provide  
155 supplemental grants for the purposes of enhancing educational  
156 programs in such interdistrict magnet schools as the commissioner  
157 determines. Such grants shall be made after the commissioner has  
158 reviewed and approved the total operating budget for such schools,  
159 including all revenue and expenditure estimates.

160 Sec. 6. Section 10-264l of the general statutes, as amended by section  
161 65 of public act 01-173, is amended by adding subsections (j) and (k) as  
162 follows (*Effective July 1, 2002*):

163 (NEW) (j) Each local or regional board of education that enrolls  
164 students in an interdistrict magnet school shall contribute funds to  
165 support the operation of the magnet school. If the interdistrict magnet  
166 school determines that the amount of the financial contribution of any  
167 local or regional board of education is insufficient to support the  
168 proportional share of the education expenses of the interdistrict  
169 magnet school, it may request the commissioner to review the amount  
170 of the contribution. If the commissioner finds that the amount of the  
171 contribution is insufficient, the commissioner may withhold from such  
172 school district a reasonable sum payable under section 10-262h and  
173 transfer such money to the fiscal agent for the magnet school as a  
174 supplementary grant for the operation of the magnet school program.

175 (NEW) (k) A magnet school which has unused student capacity may  
176 enroll directly any interested student into its program. The board of  
177 education otherwise responsible for educating such child shall comply  
178 with the provisions of subsection (j) of this section.

179 Sec. 7. Subsection (a) of section 10-10a of the general statutes is  
180 repealed and the following is substituted in lieu thereof (*Effective July*  
181 *1, 2002*):

182 (a) The Department of Education shall develop and implement a  
183 state-wide public school information system. The system shall be  
184 designed for the purpose of establishing a standardized electronic data  
185 collection and reporting protocol that will facilitate compliance with

186 state and federal reporting requirements, improve school-to-school  
 187 and district-to-district information exchanges, and maintain the  
 188 confidentiality of individual student and staff data. The initial design  
 189 shall focus on student information, provided the system shall be  
 190 created to allow for future compatibility with financial, facility and  
 191 staff data. The system shall provide for the tracking of the performance  
 192 of individual students on each of the state-wide mastery examinations  
 193 under section 10-14n in order to allow the department to compare the  
 194 progress of the same cohort of students who take each examination.  
 195 [and to better analyze school performance for purposes of section 10-  
 196 223b.]

197 Sec. 8. (*Effective July 1, 2002*) Sections 10-223b to 10-223d, inclusive,  
 198 of the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>July 1, 2002</i>
Sec. 7	<i>July 1, 2002</i>
Sec. 8	<i>July 1, 2002</i>

**ED**            *Joint Favorable Subst.*

**APP**          *Joint Favorable*

**LM**            *Joint Favorable*